

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

---

JULIE A. JANAS,

Plaintiff,

v.

ORDER  
02-CV-912A

JoANNE B. BARNHART,

Defendant.

---

The above-referenced case was referred to Magistrate Judge Leslie G. Foschio, pursuant to 28 U.S.C. § 636(b)(1)(B). On July 19, 2006, Magistrate Judge Foschio filed a Report and Recommendation, recommending that defendant's motion for judgment on the pleadings should be denied and the matter be remanded for calculation of benefits for the closed period May 1, 1999 through March 1, 2001.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Foschio's Report and Recommendation, defendant's motion for judgment on the pleadings is denied and the matter is remanded for calculation of benefits for the closed period May 1, 1999 through March 1, 2001.

The Clerk of Court shall take all steps necessary to close the case.

IT IS SO ORDERED.

/s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA  
CHIEF JUDGE  
UNITED STATES DISTRICT COURT

DATED: August 8 , 2006